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Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: REQUEST FOR JUDICIAL ) MISC. NO. 23-80084  
ASSISTANCE FROM THE TWENTY-NINTH )  
CIVIL JUDGE FOR WRITTEN TRIALS OF )  
THE SUPREME TRIBUNAL OF JUSTICE OF )  
MEXICO CITY, MEXICO IN THE MATTER )  
OF IFM GLOBAL INFRASTRUCTURE )  
FUND, ET AL. v. PAULO JENARO DIEZ )  
GARGARI )  
  )  
  )

**DECLARATION OF SAPNA MEHTA IN  
SUPPORT OF APPLICATION FOR ORDER  
PURSUANT TO 28 U.S.C. § 1782**

I, Sapna Mehta, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Northern District of California, counsel for the United States of America. I am a member of the State Bar of California and admitted to appear before this Court.

2. I make this declaration upon information and belief based upon the attached exhibits and communications with personnel in the United States Department of Justice, to which the Letters of Request have been transmitted for execution. I make this declaration in support of the United States' request, pursuant to 28 U.S.C. § 1782(a), for an Order appointing me Commissioner for the purpose of obtaining information from Google LLC ("Google"), Twitter, Inc. ("Twitter"), and Automattic Inc. ("Automattic").

1       3.     In connection with a judicial proceeding before the Twenty-ninth Civil Judge for Written  
2 Trials of the Supreme Tribunal of Justice of Mexico City, Mexico (“Requesting Court”), captioned *IFM*  
3 *Global Infrastructure Fund, et al. v. Paulo Jenaro Diez Gargari*, Foreign Reference Number 288/2020,  
4 the Requesting Court issued three Letters of Request seeking information from Google, Twitter, and  
5 Automattic, respectively. True and correct copies of correspondence received from the Department of  
6 Justice, including the Letters of Request, are attached as **Exhibit 1** (Google), **Exhibit 2** (Twitter), and  
7 **Exhibit 3** (Automattic).

8       4.     The information requested by the Requesting Court is reflected in subpoenas addressed to  
9 Google, Twitter, and Automattic, which the United States intends to serve (in substantially similar  
10 format) upon my appointment as Commissioner. A copy of the proposed subpoena to Google is  
11 attached as **Exhibit 4**. A copy of the proposed subpoena to Twitter is attached as **Exhibit 5**. A copy of  
12 the proposed subpoena to Automattic is attached as **Exhibit 6**.

13       5.     On February 27, 2023, I sent a letter to Google’s counsel regarding the Letter of Request  
14 to inquire if Google would provide the requested information voluntarily. Google responded on March  
15 1, 2023 stating that it would require legal process. On March 9, 2023, I sent Google a copy of the  
16 proposed order that accompanies this application. On March 14, 2023, Google responded that it does  
17 not object to entry of the proposed order.

18       6.     On February 27, 2023, I sent a letter to Twitter’s counsel regarding the Letter of Request  
19 to inquire if Twitter would provide the requested information voluntarily. Twitter responded on  
20 February 28, 2023 indicating it would review the request. On March 14, 2023, I sent Twitter a copy of  
21 the proposed order that accompanies this application. I discussed the Letter of Request and proposed  
22 order with Twitter’s outside counsel at WilmerHale in a subsequent telephone conversation on March  
23 20, 2023. Twitter’s counsel advised that Twitter would require legal process and that Twitter does not  
24 take a position on the proposed order.

25       7.     On March 1, 2023, I sent a letter to Automattic’s counsel regarding the Letter of Request  
26 to inquire if Automattic would provide the requested information voluntarily. Automattic responded on  
27 March 6, 2023 stating that it would require legal process. On March 9, 2023, I sent Automattic a copy  
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1 of the proposed order that accompanies this application. After subsequent correspondence about the  
2 underlying Letter of Request, Automattic responded on March 20, 2023 and stated it did not object to  
3 the proposed order.

4 I declare under penalty of perjury under the laws of the United States that the above is true and  
5 correct. Executed this 22nd day of March, 2023, in San Francisco, California.  
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7 /s/ Sapna Mehta \_\_\_\_\_  
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